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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 WILLIE BAILEY, III,

11 Plaintiff,

No. CIV S-04-2067 GEB EFB P

12 vs.

13 J. WEDELL, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff is a state prisoner proceeding without counsel in an action brought under 42
17 U.S.C. § 1983. On March 27, 2009, defendants requested an extension of time to file and serve
18 reply briefs to plaintiff's oppositions to defendants' motions for summary judgment. *See* Fed. R.
19 Civ. P. 6(b). Counsel for defendants "anticipated that [he] could prepare and file" the reply
20 briefs on or before April 30, 2009. Defs.' Mar. 27, 2009 Req., Decl. of John M. Feser ¶ 5.
21 Accordingly, on April 14, 2009, the court granted defendants' request and directed defendants to
22 file their reply briefs by April 30, 2009. On April 28, 2009, two days before the reply briefs
23 were due, defendants requested an additional 45 days to file their reply briefs. That request, in
24 its entirety, reads as follows:

25 Defense counsel explains that this action was reassigned to him on April 27, 2009
26 and that "[a] reply brief to each of plaintiff's oppositions is apparently due no
later than Thursday, April 30, 2009. The undersigned has no knowledge of the

1 facts of this case and cannot possibly file a reply by April 30th.”

2 In order to give the undersigned time to review all pleadings and discovery, as
3 well as handle all other previously scheduled work, the undersigned requests a
4 forty-five (45) day extension of time to file reply briefs, to the extent they are
5 necessary. This request applies to the three Motions for Summary Judgment, on
6 behalf of each defendant.

7 Defs.’ Apr. 28, 2009 Request.

8 Accordingly, it is hereby ORDERED that, should defendants decide that reply briefs are
9 necessary, they shall file a single reply brief addressing each of plaintiff’s oppositions to
10 defendants’ motions for summary judgment within 7 days from the date this order is filed.

11 So ordered.

12 Dated: April 30, 2009.

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14 EDMUND F. BRENNAN
15 UNITED STATES MAGISTRATE JUDGE
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